



# CALCUTTA POOL APPLICATION

1. PLEASE SUBMIT THE \$25 FEE WITH THIS APPLICATION.
2. PLEASE SUBMIT A COPY OF THE RULES FOR EACH UNDERLYING EVENT LISTED ON PAGE 1.
3. IF THIS IS YOUR FIRST TIME APPLYING FOR A CALCUTTA, ATTACH FEIN VERIFICATION.

## Office Use Only

- ☐ Approved  
☐ Denied  
☐ \$25.00 Fee  
Check No. \_\_\_\_\_

### I. APPLICANT INFORMATION

Non-Profit Organization Name \_\_\_\_\_ FEIN \_\_\_\_\_

Contact Person \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

Mailing Address \_\_\_\_\_  
Street, Suite No \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### II. AUCTION INFORMATION

Auction Location \_\_\_\_\_  
Street, Suite No \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Event Location \_\_\_\_\_  
Street, Suite No \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Number of Underlying Events Being Auctioned: \_\_\_\_\_ Date(s) \_\_\_\_\_ Time \_\_\_\_\_

### III. NAME(S) OF UNDERLYING EVENT(S). RULES MUST BE SUBMITTED FOR EACH EVENT

(ALL UNDERLYING EVENTS MUST BE PART OF A RECOGNIZED SINGLE COMPETITIVE EXHIBITION OR CONTEST, SUCH AS A RODEO)

NAME OF EVENT	DATE	TIME	# OF COMPETITORS IN EACH
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

### IV. GENERAL INFORMATION

Projected Administrative Costs: \$ \_\_\_\_\_ (Advertising, Auctioneer, etc.)

Value of Prizes Being Awarded: \_\_\_\_\_ % Charitable Contribution Amount: \_\_\_\_\_ % (these two must equal 100%)  
(Provide % of total wagers in this field; the percentage breakdown for each place should be included in your attached rules.)

Name of Charitable or Nonprofit Corporation, Association or Cause(s): \_\_\_\_\_

Charitable Contact Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

### V. CERTIFICATION

☐ I certify that this information is true and correct, that the rules will be publicly posted at each event, and all bids will be paid in cash.

Authorized Signature \_\_\_\_\_

Print Name of Person Signing \_\_\_\_\_

Date \_\_\_\_\_

A completed application is to be received by the Dept. 10 working days prior to the auction. Attach additional sheets of paper if necessary.

## SELECTED MONTANA CODE ANNOTATED AND ADMINISTRATIVE RULE 5

(To obtain a complete copy of the rules and statutes, visit our website at [www.dojmt.gov/gaming](http://www.dojmt.gov/gaming))

**23-5-221. Definition.** As used in this part, "Calcutta pool" means a form of auction pool conducted by an organization authorized by the department. The Calcutta pool must be an auction pool in which:

- (1) a person's wager is equal to the person's bid;
- (2) the proceeds from the pool, minus administrative costs and prizes paid, are contributed to a charitable or nonprofit corporation, association, or cause;
- (3) the rules of the pool are publicly posted;
- (4) no more than one wager for each competitor is allowed;
- (5) at least 50% of the total pool is paid out in prizes;
- (6) persons may not bid or wager money on any elementary school or high school sports event; and
- (7) the underlying event has more than two entrants

**23-5-222. Calcutta pools authorized.** It is lawful to conduct or participate in a Calcutta pool as defined in 23-5-221. An organization shall apply to the department on a form prescribed and furnished by the department for a Calcutta permit. The application must be accompanied by a fee of \$25, which the department shall retain for administrative purposes.

**23-5-223. Penalty.** A person who violates a provision of this part is guilty of a misdemeanor punishable pursuant to 23-5-161.

**23.16.2801 DEFINITIONS** (1) "Calcutta pool" means a form of auction pool wherein participants in the pool bid on the competitors in an underlying event with each successful bidder wagering the amount he has bid on the competitor he has "purchased;" at the conclusion of the underlying event the pool of wagers placed on all competitors is divided amongst the pool participants who have "purchased" the winners of the underlying event according to the rules of the particular Calcutta pool.

(2) "Competitor" means an entrant in the underlying event upon which a Calcutta pool is based and who is "purchased" or wagered upon by a participant in the Calcutta pool.

(3) "Participant" means a person who bids/wagers in a Calcutta pool, who "purchases" a competitor in the event underlying the pool, and who stands to win according to the rules of the pool.

(4) "Prize" means anything of value awarded a winner of a Calcutta pool or anything of value awarded a winner of an underlying event from the Calcutta pool based on that event.

(5) "Proceeds" means the amount left in a Calcutta pool after administrative costs and prizes have been paid.

(6) "Purchase" means to earn the right to wager in a Calcutta pool by submitting the highest bid on a particular competitor in the underlying event.

(7) "Underlying event" means an actual game, tournament, or contest with more than two entrants which is wagered upon by the participants in a Calcutta pool. Fictitious or contrived events shall not be considered underlying events for purposes of Calcutta pool wagering.

### **23.16.2803 APPLICATION FOR AUTHORIZATION TO CONDUCT A**

**CALCUTTA POOL** (1) Any organization seeking authorization from the department to conduct a Calcutta pool must supply the department the following information:

- (a) the event underlying the Calcutta pool;
- (b) the number of competitors in the underlying event (actual number or best estimate);
- (c) the value of prizes to be awarded (a prize may be a percentage of the total wagers);
- (d) any projected costs of administering the pool;
- (e) the intended use of the proceeds of the pool;
- (f) a copy of the rules of the Calcutta pool which will be publicly posted.

(2) All applications for authorization to conduct Calcutta pools should be received by the department at least ten working days before the start of the auction. The department may process an application received by FAX. An application may not receive approval if received by the department with less than ten working days before the start of the tournament.

**23.16.2806 MISREPRESENTATION - PENALTIES** (1) If, upon investigation, the department determines that an organization authorized to conduct a Calcutta pool has failed to comply with the laws of the state of Montana or the rules of the department or has misrepresented any material fact in its application for an authorization to conduct a Calcutta pool, the department may take any other action authorized by law.

(2) Upon completion by the department of its investigation, the department shall notify the organization authorized to conduct the Calcutta pool of any penalties it intends to impose. If the organization then desires a hearing, it must submit a written request to the department within 20 days of the receipt of notice of intended department action.

(3) Upon receipt by the department of a written request for hearing, all subsequent proceedings shall be conducted in accordance with the Montana Administrative Procedure Act and the Attorney General's Model Rules of Procedure.

**Applications may be submitted via fax, email, mail or through Taxpayer Access Point:**

[https://tap.dor.mt.gov/ /](https://tap.dor.mt.gov/)

**Montana Department of Justice, Gambling Control Division**  
**2550 Prospect Ave. • PO Box 201424 • Helena, MT 59620-1424**  
**Phone: (406) 444-1971 • Fax: (406) 444-9157**  
**Email: [gcd@mt.gov](mailto:gcd@mt.gov)**